

ORDINANCE NO. 20050929-Z020

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5200 FREIDRICH LANE IN THE FRANKLIN PARK NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD OFFICE-MIXED USE-NEIGHBORHOOD PLAN (NO-MU-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district to limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district on the property described in Zoning Case No. C14-05-0081, on file at the Neighborhood Planning and Zoning Department, as follows:

A 7.4045 acres tract of land, more or less, out of the Santiago Del Valle Grant, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5200 Freidrich Lane in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the limited industrial service (LI) base district and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A fence with a minimum height of 8 feet shall be constructed and maintained along the south property line.
2. A 50 foot building setback shall be established along the south property line.
3. The maximum height of a building or structure is 20 feet from ground level.

4. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
5. Exterior lighting on the Property must be hooded or shielded so that the light source is not directly visible from adjacent properties.
6. The following uses are prohibited uses of the Property:

Adult-oriented businesses	Agricultural sales and services
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Basic industry
Business or trade school	Campground
Club or lodge	College or university facilities
Commercial off-street parking	Community recreation (private)
Community recreation (public)	Congregate living
Consumer convenience services	Day care services (commercial)
Day care services (general)	Drop-off recycling collection facilities
Employee recreation	Equipment repair services
Equipment sales	Food sales
Funeral services	General retail sales (convenience)
Group home, Class I (general)	Group home, Class I (limited)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Kennels
Liquor sales	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Railroad facilities	Recycling center
Residential treatment	Resource extraction
Restaurant (general)	Safety services
Scrap and salvage	Service station
Theater	Transitional housing
Transportation terminal	Vehicle storage
Veterinary services	

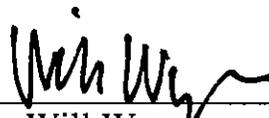
PART 4. The Property is subject to Ordinance No. 021010-12a that established the Franklin Park neighborhood plan combining district.

PART 5. This ordinance takes effect on October 10, 2005.

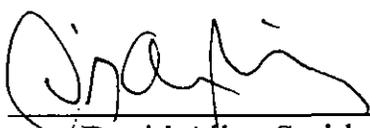
PASSED AND APPROVED

September 29, 2005

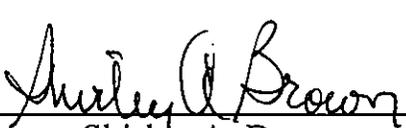
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Will Wynn
Mayor

APPROVED: 

David Allan Smith
City Attorney

ATTEST: 

Shirley A. Brown
City Clerk

METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

EXHIBIT A

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 7.4045 ACRES OF LAND, A PORTION OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 7.4045 ACRES OF LAND BEING ALL OF THAT FIRST TRACT OF 2.36 ACRES OF LAND AND ALL OF THAT SECOND TRACT OF 5 ACRES OF LAND, AS CONVEYED IN A DEED FROM T. W. DAVIDSON AND WIFE, JO L. DAVIDSON TO JACK H. HOUSTON AND WIFE, ANNA MARIE HOUSTON IN VOLUME 1881, PAGE 69, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID FIRST TRACT OF 2.36 ACRES OF LAND BEING THAT SAME 2.36 ACRE TRACT, A PORTION OF THE SAID SANTIAGO DEL VALLE GRANT, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM OLEN E. LEONARD AND WIFE, ELIZABETH LEONARD TO T. W. DAVIDSON IN VOLUME 1064, PAGE 477, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID SECOND TRACT OF 5 ACRES OF LAND BEING ALL OF THAT 5 ACRE TRACT, A PORTION OF THE SAID SANTIAGO DEL VALLE GRANT, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM OLEN LEONARD AND WIFE, ELIZABETH LEONARD TO T. W. DAVIDSON AND JO L. DAVIDSON IN VOLUME 1418, PAGE 29, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED FOR ANNA MARIE HOUSTON BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS, SAID 7.4045 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4" steel pin found in the northwest line of Freidrich Lane at the east corner of that 5 acre tract, a portion of the Santiago del Valle Grant, Abstract No. 24, in the City of Austin, Travis County, Texas, designated as Second Tract and conveyed in a deed from T. W. Davidson and wife, Jo L. Davidson to Jack H. Houston and wife, Anna Marie Houston in Volume 1881, Page 69, Deed Records of Travis County, Texas and at the southeast corner of that 3.6645 acre tract, a portion of the said Santiago del Valle Grant, in the City of Austin, Travis County, Texas, as described in a Special Warranty Deed with Vendor's Lien from Robert Lawson Boothe, et al to Grocer's Enterprise, Inc. in Document Number 2002123329, Official Public Records of Travis County, Texas, for the POINT OF BEGINNING and east corner of the herein described tract;

(1) THENCE with the northwest line of Freidrich Lane and the southeast line of the said Houston Second Tract of 5 acres, being also with the southeast line of that 2.36 acre tract, a portion of the said Santiago del Valle Grant, in the City of Austin, Travis County, Texas, designated as First Tract and conveyed in said deed from T. W. Davidson and wife, Jo L. Davidson to Jack H. Houston and wife, Anna Marie Houston in Volume 1881, Page 69, Deed Records of Travis County, Texas, S 38°55'05" W 843.49 feet to a 1/2" steel pin with plastic cap set for an angle point in the northwest line of Freidrich Lane and for the southeast corner of the said Houston First Tract of 2.36 acres, said 1/2" steel pin with plastic cap set being also in the north line of that 9,568 square foot tract, a portion of the said Santiago del Valle Grant, in the City of Austin, Travis County, Texas, as described in a Street Deed from Harry R. Sindorf to the

City of Austin in Volume 3946, Page 1787, Deed Records of Travis County, Texas, for the southeast corner of the herein described tract;

(2) THENCE with the northwest line of Freidrich Lane and the south line of the said Houston First Tract of 2.36 acres, being also with the north line of the said City of Austin 9,568 square foot tract and a north line of that 29.57 acre tract, described as 29.72 acres of land, less and except 9,568 square feet of land, a portion of the said Santiago del Valle Grant, in the City of Austin, Travis County, Texas, and conveyed in an Assumption Warranty Deed (undivided 1.25% interest) from Nueva Verde Investments, LLC to Familia, L.P. in Volume 12947, Page 442, Real Property Records of Travis County, Texas, N 72°57'20" W at 5.53 feet passing a 1/2" steel pin found at an angle point in the northwest line of Freidrich Lane, the northwest corner of the said City of Austin 9,568 square foot tract and a northeast corner of the said Familia L.P. 29.57 acre tract, in all 283.00 feet to a 2" iron pipe found at the southwest corner of the said Houston First Tract of 2.36 acres and the southeast corner of Lot 1, Wal-Mart Subdivision, a subdivision of a portion of the said Santiago del Valle Grant, in the City of Austin, Travis County, Texas, of record in Plat Book 87, Pages 174A, 174B, Plat Records of Travis County, Texas, for the southwest corner of the herein described tract;

(3) THENCE with the west line of the said Houston First Tract of 2.36 acres and the west line of the said Houston Second Tract of 5 acres, being also with the east line of said Lot 1 and the east line of Lot 2 of said Wal-Mart Subdivision, N 29°22'25" E at 868.15 feet passing a 1/2" steel pin found 0.22 of one foot west of line at the northeast corner of said Lot 1 and the southeast corner of said Lot 2, Wal-Mart Subdivision, in all 1017.37 feet to a 1/2" steel pin found at the northwest corner of the said Houston Second Tract of 5 acres and the west or southwest corner of the said Grocer's Enterprise, Inc. 3.6645 acre tract, for the northwest corner of the herein described tract;

(4) THENCE with the northeast line of the said Houston Second Tract of 5 acres and the southwest line of the said Grocer's Enterprise, Inc. 3.6645 acre tract, S 43°54'00" E 434.72 feet to the POINT OF BEGINNING of the herein described tract, containing 7.4045 acres of land.

Survey Completed March 11, 2004

METCALFE & SANDERS, INC.
Land Surveyors



By: 

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

Note: The plastic cap on the steel pin set is inscribed with "M & S 1838".

Plan 9871

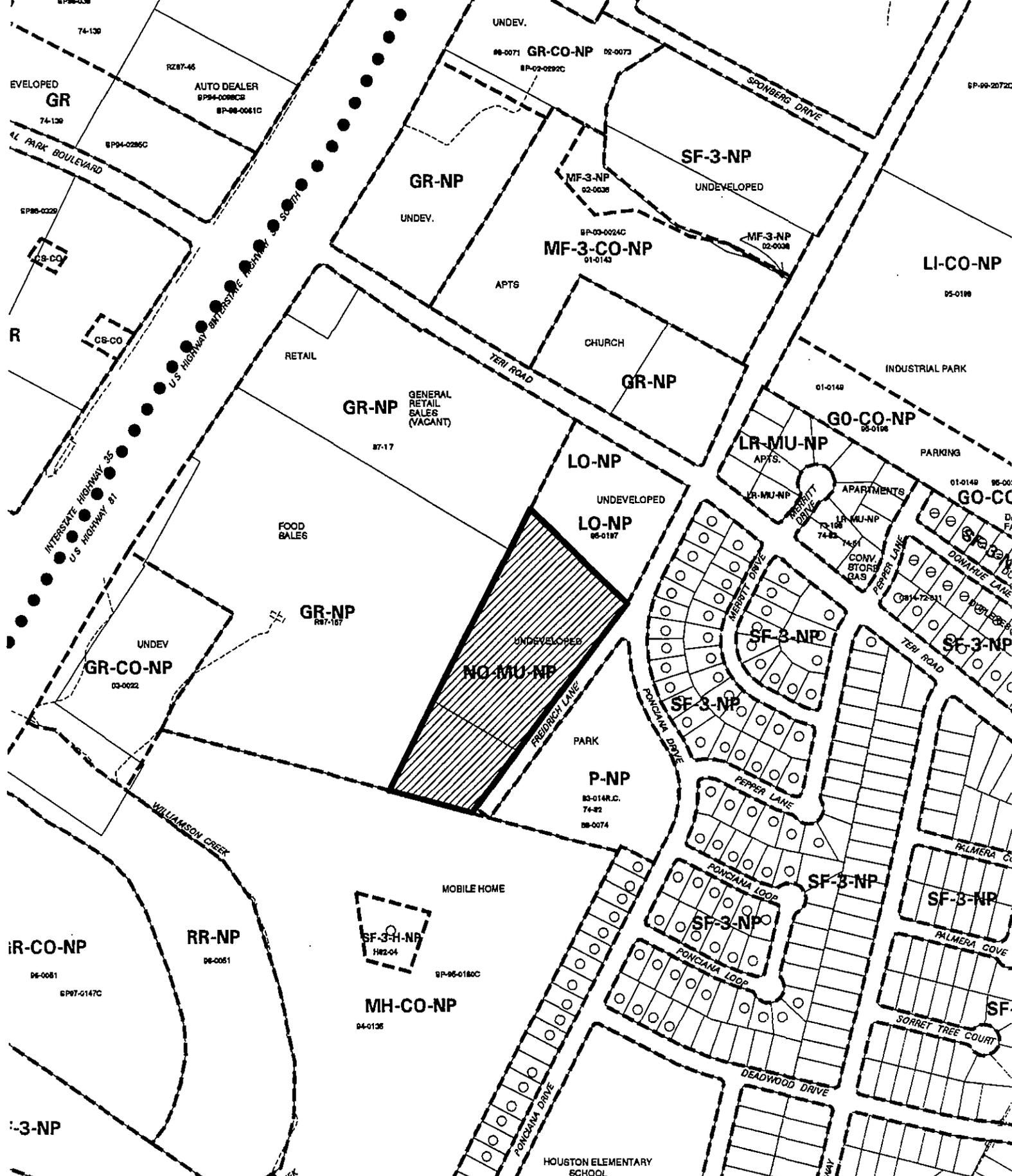
FB 845, P 51-57 & DC

Ref: Plan 7713A

Plan 7713

Job No. 04048.01

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<p>1" = 400'</p>	<p>SUBJECT TRACT</p>	<p>ZONING EXHIBIT B</p>		<p>CITY GRID REFERENCE NUMBER</p> <p>H16</p>
	<p>PENDING CASE</p>	<p>CASE #: C14-05-0081</p>		
	<p>ZONING BOUNDARY</p>	<p>ADDRESS: 5200 FREIDRICH LANE</p>		<p>DATE: 05-09</p>
	<p>CASE MGR: W. WALSH</p>	<p>SUBJECT AREA (acres): 7.400</p>		<p>INTLS: SM</p>